

HOUSE BILL 282

R1, B5

0lr0382

By: ~~Delegate Pena-Melnyk~~ Delegates Pena-Melnyk and Bobo

Introduced and read first time: January 26, 2010

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 2010

CHAPTER _____

1 AN ACT concerning

2 **Transportation Projects – Bicycle and Pedestrian Access – Funding and**
3 **Reporting**

4 FOR the purpose of declaring that it is the policy of the State that, in developing the
5 annual Consolidated Transportation Program, the Maryland Department of
6 Transportation shall work to ensure that there is ~~a~~ an appropriate balance
7 between funding for certain transportation projects for pedestrians and bicycle
8 riders and certain highway construction projects and place increased emphasis
9 on certain transportation projects in certain areas under certain circumstances;
10 requiring the Statewide 20–Year Bicycle–Pedestrian Master Plan to be ~~revised~~
11 reviewed and updated in each year that the Maryland Transportation Plan is
12 revised; repealing an obsolete reference; and generally relating to
13 transportation projects for pedestrians and bicycle riders.

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 2–602 and 2–604
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2009 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Transportation**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 2-602.

2 The General Assembly finds that it is in the public interest for the State to
3 include enhanced transportation facilities for pedestrians and bicycle riders as an
4 essential component of the State's transportation system, and declares that it is the
5 policy of the State that:

6 (1) Access to and use of transportation facilities by pedestrians and
7 bicycle riders shall be considered and best engineering practices regarding the needs of
8 bicycle riders and pedestrians shall be employed in all phases of transportation
9 planning, including highway design, construction, reconstruction, and repair as well
10 as expansion and improvement of other transportation facilities;

11 (2) The modal administrations in the Department shall ensure that
12 the State maintains an integrated transportation system by working cooperatively to
13 remove barriers, including restrictions on bicycle access to mass transit, that impede
14 the free movement of individuals from one mode of transportation to another; [and]

15 (3) As to any new transportation project or improvement to an existing
16 transportation facility, the Department shall work to ensure that transportation
17 options for pedestrians and bicycle riders will be enhanced and that pedestrian and
18 bicycle access to transportation facilities will not be negatively impacted by the project
19 or improvement; AND

20 (4) IN DEVELOPING THE ANNUAL CONSOLIDATED
21 TRANSPORTATION PROGRAM, THE DEPARTMENT SHALL:

22 (I) ENSURE THAT THERE IS ~~A~~ AN APPROPRIATE BALANCE
23 BETWEEN FUNDING FOR:

24 1. PROJECTS THAT RETROFIT EXISTING
25 TRANSPORTATION PROJECTS WITH FACILITIES FOR PEDESTRIANS AND BICYCLE
26 RIDERS; AND

27 2. NEW ~~HIGH~~ HIGHWAY CONSTRUCTION PROJECTS;
28 AND

29 (II) IN TRANSIT-ORIENTED AREAS WITHIN PRIORITY
30 FUNDING AREAS, AS DEFINED IN § 5-7B-02 OF THE STATE FINANCE AND
31 PROCUREMENT ARTICLE, PLACE INCREASED EMPHASIS ON PROJECTS THAT
32 RETROFIT EXISTING TRANSPORTATION PROJECTS WITH FACILITIES FOR
33 PEDESTRIANS AND BICYCLE RIDERS AND INCREASE ACCESSIBILITY FOR THE
34 GREATEST NUMBER OF PEDESTRIANS AND BICYCLE RIDERS.

35 2-604.

1 (a) The Director shall develop and coordinate policies and plans for the
2 provision, preservation, improvement, and expansion of access to transportation
3 facilities in the State for pedestrians and bicycle riders, including development [, before
4 October 1, 2002,] of a Statewide 20-Year Bicycle-Pedestrian Master Plan that:

5 (1) (i) Identifies short-term and long-range goals that are
6 consistent with the purposes of this subtitle; and

7 (ii) For each identified goal, includes:

8 1. Reasonable cost estimates for achieving the goal; and

9 2. For purposes of the annual report required under §
10 3-216 of this article, objective performance criteria against which progress in
11 achieving the goal can be measured;

12 (2) Complies with applicable federal funding requirements;

13 (3) Provides a model to guide political subdivisions of the State in
14 enhancing bicycle and pedestrian access to transportation facilities;

15 (4) Proposes long-term strategies for improving the State's highways
16 to ensure compliance with the most advanced safety standards for pedestrians and
17 bicycle riders; and

18 (5) After consultation with political subdivisions in the State,
19 identifies bicycle-pedestrian priority areas to facilitate the targeting of available funds
20 to those areas of the State most in need ~~WITHIN PRIORITY FUNDING AREAS, AS~~
21 ~~DEFINED IN § 5-7B-02 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

22 (b) **THE STATEWIDE 20-YEAR BICYCLE-PEDESTRIAN MASTER PLAN**
23 **SHALL BE ~~REVISED~~ REVIEWED AND UPDATED EACH YEAR THAT THE MARYLAND**
24 **TRANSPORTATION PLAN, AS DESCRIBED IN § 2-103.1 OF THIS TITLE, IS**
25 **REVISED.**

26 (c) To carry out the purposes of this subtitle, the Director shall:

27 (1) Participate in the planning of new transportation facilities and
28 improvements to existing transportation facilities;

29 (2) Advise the Secretary on matters concerning bicycle and pedestrian
30 access and any other matter as requested by the Secretary;

31 (3) Initiate a program of systematic identification of and planning for
32 projects related to bicycle and pedestrian transportation that qualify for funds under
33 Federal Highway Administration guidelines;

1 (4) Monitor State transportation plans, proposals, facilities, and
2 services to ensure maximum benefits for pedestrians and bicycle riders in the State;
3 and

4 (5) Consult regularly with the Bicycle and Pedestrian Advisory
5 Committee established under § 2-606 of this subtitle.

6 **[(c)] (D)** The exercise of the powers and duties of the Director is subject to
7 the authority of the Secretary.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.